

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

In re: : **Chapter 11**

The Harris Agency, LLC, :

Debtor. : **Case No. 09-10384 (JKF)**

ORDER

AND NOW, this 2nd day of June, 2011, upon consideration of the First and Second Interim Applications for Compensation and Reimbursement of Expenses of The Law Offices of Paul J. Winterhalter, P.C. (the "Applications");

AND after a hearing on the Applications;

AND upon consideration of the parties' briefs and related case and statutory law;

It is hereby **ORDERED** that:

1. The Law Offices of Paul J. Winterhalter, P.C. ("Winterhalter" or the "Firm") is **disqualified** as counsel to the Debtor as of **March 10, 2009** due to an actual conflict of interest and due to its failure to disclose connections with regard to this conflict.
2. Due to Winterhalter's disqualification, the total fees allowed with regard to both Applications (through and including March 9, 2009) are **\$39,053.25**; the total expenses allowed are **\$1,293.67**.
3. Because Winterhalter has already received payment from Archway Insurance Services, LLC ("Archway") and Alliance National Insurance Company ("Alliance") of \$77,893.11 for services rendered in connection with this Chapter 11 case, Winterhalter is hereby **ordered to disgorge \$37,546.19** (the "Disgorged Amount").

4. Winterhalter must return \$19,524.02 of the Disgorged Amount to Archway and \$18,022.17 to Alliance.
5. The Disgorged Amount must be paid (in the above specific denominations) to Archway and Alliance within 60 days of the issuance of this Order.
6. Within five days of the date of this Order, Winterhalter must disclose in writing any money or payments received from the Debtor or any related entity in connection with this bankruptcy case that have not previously been disclosed to this Court, i.e. that were not named in the 2016 statement (Docket Entry No. 12) and/or the Amended Verified Statement (Docket Entry No. 178). If any such additional payments are disclosed by Winterhalter, the Court will issue an order determining whether and how such funds must be disgorged by the Firm.
7. Each attorney at Winterhalter must, within nine months of the date of this Order, attend and complete six hours of Pennsylvania continuing legal education ("CLE") dealing specifically with conflicts of interest.¹ Upon completion of the CLE courses, each attorney at Winterhalter shall file an affidavit with the Court attesting to his or her attendance at and satisfactory completion of the courses.



HONORABLE JEAN K. FITZSIMON
United States Bankruptcy Judge

¹ These courses may be completed on-line.

Copies to:

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